

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

ALOFT MEDIA, LLC,	§	
	§	
Plaintiff,	§	Civil Action No. 2:08-cv-292
	§	
v.	§	
	§	
PALM, INC., et al.,	§	JURY TRIAL DEMANDED
	§	
Defendants.	§	

**STIPULATION OF DISMISSAL WITHOUT PREJUDICE BY
AND BETWEEN ALOFT MEDIA, LLC AND AT&T MOBILITY**

IT IS STIPULATED, by and between Plaintiff/Counter-Defendant Aloft Media, LLC (“Aloft”), and Defendant/Counter-Plaintiff AT&T Mobility LLC (“AT&T Mobility”) (collectively, the “Stipulating Parties”), through their counsel of record, pursuant to Fed. R. Civ. P. 41, and subject to the approval of the Court, that:

- (1) All claims asserted by Aloft against AT&T Mobility, including all amendments thereto, shall be dismissed without prejudice;
- (2) All counterclaims asserted by AT&T Mobility against Aloft, including all amendments thereto, shall be dismissed without prejudice;
- (3) This Stipulation shall not affect any claims by and between Aloft and any other defendant in this case; and
- (4) The Stipulating Parties shall bear their own costs and attorneys’ fees.

/s/ Eric B. Hall by permission

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this motion was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email, on this the 28th day of October, 2008.

A handwritten signature in black ink, appearing to read "Eric M. Albritton", is written over a horizontal line.

Eric M. Albritton